

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PHILLIP CANNELLA,	:	
JOANN SMALL, and	:	
FIRST SENIOR FINANCIAL	:	
GROUP, LLC.	:	
	:	CIVIL ACTION
Plaintiffs,	:	
	:	
vs.	:	
	:	NO. 2:12-CV-1247
KRISTA C. BRENNAN,	:	
HARRY MCWILLIAMS, and	:	
GRANITE FINANCIAL	:	
SOLUTIONS, INC.	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, this 5th day of August, 2014, upon consideration of Defendants McWilliams and Granite Financial Solutions Inc.'s Motion to Dismiss (Doc. No. 171) and Plaintiffs' Response in opposition thereto (Doc. No. 174), and for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that the Motion is GRANTED IN PART and DENIED IN PART. The Motion to Dismiss is GRANTED as to Count III of the Second Amended Complaint (Doc. No. 156), and Count III is DISMISSED with prejudice. The Motion to Dismiss is DENIED as to Counts I, IV, V, and VI.<sup>1</sup>

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<sup>1</sup>Because Defendant Brennan did not file a motion to dismiss, Count III of the Second Amended Complaint is still applicable to her.

BY THE COURT:

s/J. Curtis Joyner  
J. Curtis Joyner, J.